

JONATHAN O. PENA, ESQ.
CA Bar ID No. 278044
Peña & Bromberg, PLC
2440 Tulare St., Suite 320
Fresno, CA 93721
Telephone: 559-412-5390
Fax: 866-282-6709
info@jonathanpena.com
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JZON BUCKNER,)	Case No. 1:22-cv-00505-EPG
)	
Plaintiff,)	STIPULATION AND ORDER FOR
)	EXTENSION OF TIME
vs.)	(ECF No. 16)
)	
KILOLO KIJAKAZI, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from November 10, 2022 to January 9, 2023, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. In the months of May through July 21, 2022, Counsel has received an influx of Social Security Certified Administrative Records (CAR). A review of the records received shows Counsel has received at least 50 CARs, the majority of which were filed in June 2022. This has caused an unusually large number of cases that have merit briefs due in the months of August and September. For the months of September and October 2022, we have received an additional 39 CARs.

1 For the weeks of November 7, 2022 and November 14, 2022, Counsel currently has 17
2 merit briefs, and several letter briefs and reply briefs. Additional time is needed to thoroughly
3 brief this matter for the Court. As previously reported, Counsel for Plaintiff underwent major
4 orthopedic surgery in March 2022, requiring significant physical therapy. This has required
5 Plaintiff's counsel to take time off during the work week and work months since then. Although
6 much improved, Counsel still participates in regular physical therapy two to three times per
7 week.

8 Lastly, Counsel for Plaintiff is currently taking partial leave as his child was born on
9 October 14, 2022. Thus, Counsel is working limited hours for the months of November and
10 December 2022.

11 Defendant does not oppose the requested extension. Counsel apologizes to the Defendant
12 and Court for any inconvenience this may cause.

13
14 Respectfully submitted,

15 Dated: November 7, 2022 PENA & BROMBERG, ATTORNEYS AT LAW

16
17 By: /s/ Jonathan Omar Pena
18 JONATHAN OMAR PENA
19 Attorneys for Plaintiff

20 Dated: November 7, 2022 PHILLIP A. TALBERT
21 United States Attorney
22 MATHEW W. PILE
23 Associate General Counsel
24 Office of Program Litigation
25 Social Security Administration

26 By: */s/ Caspar Chan
27 Caspar Chan
28 Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on November 7, 2022)

ORDER

Based on the above stipulation (ECF No. 16), IT IS ORDERED that Plaintiff shall file Plaintiff's motion for summary judgment no later than January 9, 2023. All other deadlines in the Court's scheduling order are extended accordingly.

IT IS SO ORDERED.

Dated: **November 10, 2022**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE